

Remarks

The Office Action of May 18, 2005, and the references cited therein have been carefully considered.

In this Amendment, each of the independent claims 1, 9 and 18, has been amended to more clearly and particularly define the invention, in particular to define the physical location of the stripper opening as a result of discussions with the Examiners. Moreover, claim 18 has been amended to overcome the Examiner's formal objection thereto.

The Examiners, Mr. Phong H. Nguyen, Mr. Derris Banks and Mr. Allan Shoap, are thanked for the courteous personal interview afforded undersigned counsel on July 26, 2005. At that time, differences between the invention and the cited reference to Cotter were extensively discussed. In particular, it was pointed out that according to the present invention, a die is provided which, in effect, has three different cylindrical portions, i.e., the shaft portion 15 and an operative portion 23, which includes two cylindrical portions, i.e., a punching portion 26, with the smallest diameter at the lower end of the die, and an intermediate portion 25, of a size between that of the shaft 15 and the punching portion 26. According to the present invention, the portion 25 extends into a stripper opening 24 in a stripper plate or bushing 21, and is guided in the opening 24. As can be seen, the stripper opening 24 is disposed in the stripper plate or bush 21 and extends to the outer surface of the stripper bush that faces and is adjacent to the receiving surface for the sheet 32 of the material to be punched. In this manner, the die is always guided within the stripper opening 24 via its intermediate portion 25, and the smaller punching portion 26, which is not laterally supported within the stripper opening 24, is of a size that essentially corresponds to that of the opening 7 in the receiving plate 22.

In regard to the Cotter patent, while this patent generally does teach a die having the three sequential portions of differing size, the manner in which the die is supported and its relationship to the stripper is entirely different than that according to the present invention as recited in each of the independent claims. In particular, as was pointed out, according to the Cotter patent, the punching portion 26 of the die extends through the stripper opening (unnumbered) of Cotter, and the intermediate

portion 28 does not extend through the stripper opening and thus is not guided thereby as in the present invention. Rather, the intermediate portion 28 is supported within a bushing 86, formed in the end cap for the piston provided in the punch to operate the die. As can clearly be seen in Figure 3, the stripper 93 is then simply attached to the end cap, which is required in order to complete the piston arrangement that in essence is the invention according to the Cotter patent. In the embodiment of Figure 2, the stripper 93' is indicated as being integral with the end cap, but the basic arrangement and relationship between the parts does not change.

As can easily be seen from the Figures of the Cotter patent, with this arrangement, the intermediate portion 28 of the die does not extend through the stripper opening, i.e., the unnumbered opening in the end surface of the stripper 93 or 93' facing the plate 16 to be punched. This is a fundamental difference between the present invention and the arrangement of Cotter. During the interview, while the Examiners indicated that they understood this distinction, they were of the opinion that the claims did not bring out this distinction, and in particular, were of the opinion that the claim language was sufficiently broad, so that either the entire opening within the stripper 93 or 93' could be considered to be the claimed stripper opening or, in the embodiment of Figure 2 when the stripper 93' is integral with the end cap, the support bushing in the end cap itself could be considered to correspond to the claimed stripper opening. While undersigned counsel did not concur in the Examiners' position that the claims' limitations are readable on the Cotter arrangement, nevertheless it was agreed that, if the claims were amended to clearly bring out the physical relationship between the stripper opening, the portions of the die, and the receiving face for the plate to be punched, the claims would patentably distinguish over the Cotter patent.

Accordingly, following the interview, proposed claim amendments were presented to the Examiner, Mr. Phong H. Nguyen, and were discussed with the Examiner during a telephone interview this day. As a result of the discussion, the Examiner indicated that if claims 1, 9 and 18 were amended as requested above, they would appear to render the claims allowable over the Cotter patent. However, the Examiner indicated that he wished to consider the claims once more after formal presentation.

As discussed, each of the claims as now amended more specifically defines the physical relationship between the stripper opening, the die and the receiving face. That is, the stripper opening is now defined as an opening that is disposed in the stripper above the associated punched hole and extends to an outer face of the stripper that faces the receiving face for a ceramic substrate to be punched. Clearly, this is not the case according to the arrangement of Cotter, regardless of how one attempts to read the limitations of the claims on the Cotter arrangement. Accordingly, reconsideration and allowance of all of the pending claims, i.e., claims 1-20, and the passing of this application to issue are respectfully requested.

If the Examiner is of the opinion that the prosecution of the application would be advanced by a further personal interview, the Examiner is invited to telephone undersigned counsel to arrange for such an interview.

Respectfully submitted,

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